

MINUTES OF THE CITY COUNCIL

CITY OF AUSTIN, TEXAS

Regular Meeting

September 20, 1956
10:00 A.M.

Council Chamber, City Hall

The meeting was called to order with Mayor Miller presiding.

Roll call:

Present: Councilman Long, Palmer, Pearson, White, Mayor Miller

Absent: None

Present also: W. T. Williams, Jr., City Manager; Doren R. Eskew, City Attorney; Reuben Rountree, Jr., Director of Public Works.

Invocation was delivered by REV. ARCHIE K. STEVENSON, Hyde Park Christian Church, 4115 Avenue D.

Councilman White moved that the Minutes of September 13th, both regular meeting and special night meeting, be approved. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

MR. MORIN SCOTT appeared in the interest of establishing a north-south free-way in the west part of the city, and submitted a proposal and the following petition:

"August 28, 1956

"Honorable Mayor & City Council
City of Austin

"We the undersigned recommend that the City Council of the City of Austin appoint a Citizens Advisory Committee to work with the Federal and/or State Highway Commission to provide and establish a North-South Freeway/or Interregional Highway on the West side of the City of Austin to join the Burnet Highway with the Fredericksburg Road, and serve the West side of Austin, just as the Interregional/East Avenue Freeway serves the East side of Austin.

"Said Freeway to utilize the right-of-way of the Missouri Pacific Railroad or such right-of-way as will best serve to accomplish the purpose.

"Surely, with Dallas, Forth Worth, Houston, San Antonio and other major cities of Texas building and planning five or six Freeways each, Austin should immediately plan and be allotted further Freeway funds for a traffic artery so vitally needed now and in the years ahead.

"Respectfully submitted,

R. W. Byram
Jack Sparks
R. R. Bridges
G. M. Bettis
C. B. Calahan, Jr.
Truman N. Morris
A. P. Montgomery
John D. Broad
Felder Thornhill
Morin M. Scott
Julian C. Clopton
Jay H. Brown
J. Sam Winters
Dick Reynolds
Edward Clark
Walter E. Long
George C. Hawley
H. F. Voss
Joe C. Carrington
Scott Field Bailey
W. W. Coats, Jr.
Wm. B. Ransom
Max O. Slade
Carl J. Eckhardt

Dunning Bright
C. W. Mowdy
J. G. Perkins
T. T. Shoot
John H. Leo
Joseph C. Blaicher
Roy J. Johnson
J. T. Patterson, Jr.
Robert J. Hudspeth
R. A. Lucksinger
H. L. Maufrais
R. A. Lewis, Jr.
Dewey G. Mears
W. H. Pitts
Conger Poage
W. J. Perlitz
Fred W. Catterall, Jr.
Howard R. Clewis
Murray P. Ramsey
Joseph J. Dameron
Ralph S. Fuller
P. Frank Lake
C. F. Maroneey
Wallace Scott, Jr.

Johnnie B. Rogers
E. A. Brown
V. H. Ritter
Mrs. C. M. Drake, Jr.
Mrs. J. M. Steinhauser
Charles E. Green
Robert V. Embleton
Spencer J. Scott
Morgan Nesbitt
John Coats
William A. Brown
C. M. Drake, Jr.
Mrs. Robert O. Bagg
Jack Steinhauser "

Mayor Miller outlined the work performed on the proposed boulevard down the Missouri-Pacific right-of-way, beginning about two years ago under Mayor McAden's tenure. He stated it would be necessary to get Federal and State aid, as this was a multi-million dollar job, and the Council would keep after it. At present, the money seemed to be allocated to some other big projects in the highway system, in Austin--East Avenue and the South Belt Loop. After discussion, the Council, on Councilman Long's suggestion, named the petitioners as an advisory committee to study the establishment of this proposed freeway.

Mayor Miller brought up the following ordinance for its third reading:

AN ORDINANCE AMENDING THAT CERTAIN ORDINANCE ENTITLED:
"AN ORDINANCE PRESCRIBING FARES AND CHARGES COLLECTIBLE,
BEGINNING THE 1ST DAY OF JULY, 1947, BY EVERY PERSON,
FIRM AND CORPORATION MAINTAINING AND OPERATING WITHIN
THE CITY OF AUSTIN A BUS SYSTEM FOR LOCAL TRANSPORTA-
TION OF PASSENGERS FOR HIRE USING OR OPERATING UNDER
A PUBLIC FRANCHISE; PRESCRIBING PAYMENTS TO THE CITY
OF AUSTIN, BASED UPON GROSS ANNUAL RECEIPTS FROM
OPERATIONS, BY EVERY PERSON, FIRM AND CORPORATION
MAINTAINING AND OPERATING WITHIN THE CITY OF AUSTIN

A BUS SYSTEM; FIXING TIMES FOR SUCH PAYMENTS; AND DECLARING AN EMERGENCY," WHICH ORDINANCE WAS PASSED BY THE CITY COUNCIL OF THE CITY OF AUSTIN JUNE 26, 1947, AND IS RECORDED IN BOOK "M", PAGES 523-524, INCLUSIVE, OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN, BY AMENDING SECTION 1 THEREOF PRESCRIBING RATES FOR THE TRANSPORTATION OF PASSENGERS FOR HIRE BY BUS WITHIN THE CITY OF AUSTIN.

The ordinance was read the third time and Councilman Pearson moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Palmer, Pearson, White, Mayor Miller
Noes: Councilman Long

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED: "AN ORDINANCE REGULATING THE ERECTION, CONSTRUCTION, ENLARGEMENT, ALTERATION, REPAIR, MOVING, REMOVAL, DEMOLITION, CONVERSION, OCCUPANCY, EQUIPMENT, USE, HEIGHT, AREA, LOCATION AND MAINTENANCE OF BUILDINGS AND STRUCTURES IN THE CITY OF AUSTIN, TEXAS; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; DECLARING AND ESTABLISHING FIRE DISTRICTS; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH," WHICH ORDINANCE WAS ENACTED BY THE CITY COUNCIL OF THE CITY OF AUSTIN ON APRIL 30, 1931, AND IS OF RECORD IN BOOK "I", PAGES 387-544 OF THE ORDINANCE RECORDS OF THE CITY OF AUSTIN; BY ADDING TO SECTION 4501 A NEW SUB-SECTION DESIGNATED (i) TO PERMIT ACCESSWAYS ACROSS ALLEYS UNDER CERTAIN CIRCUMSTANCES; AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Pearson moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Pearson moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman Pearson moved that the ordinance be finally passed. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

MR. TRUEMAN E. O'QUINN filed the following application of IRVING GOODFRIEND to erect an aerial passageway connecting the building at 901 Congress Avenue with the second story of the Maverick-Clarke Building fronting on East 9th Street:

"September 20, 1956

"To the Honorable Mayor and
Members of the City Council
City of Austin
Austin, Texas

"Please consider this the written application of Irving Goodfriend and associates, acting in behalf of GOODFRIEND'S, 901 Congress Avenue, Austin, Texas, for a permit to erect an aerial passageway connecting the building at 901 Congress Avenue with the second story of the Maverick-Clarke Building fronting on East Ninth Street. (110 East 9th Street)

"In this connection there is attached hereto a scale drawing prepared by Fehr and Granger, Architects, showing the proposed bridge for which permit is requested.

"As a basis for the application and in compliance with the ordinances of the City of Austin, the following representations are made:

"(1) That the structure will be used for access only and will not be used for storage or occupancy.

"(2) The passageway will be constructed entirely of incombustible materials.

"(3) Class "A" fire doors will be placed at each end of the passageway in compliance with law.

"(4) If the structure shall interfere with any public utility facilities, all costs of relocation will be borne by the applicant; and no electric, gas, water, telephone, or other lines will be attached to or permitted to cross on or in said structure.

"(5) Applicant agrees to indemnify and save the City of Austin and all its officers, agents, servants and employees harmless from any and all claims growing out of or connected with the construction, use, or maintenance of said improvement.

"(6) Applicant agrees that the permit may be issued and will be accepted subject not only to all police, traffic, fire, and health regulations; and applicant recognizes the perpetual right of the City to revoke the permit at any time and applicant will pay all costs and expenses attendant with the removal of the structure when and if directed by the City of Austin to remove the structure pursuant to revocation of the permit.

"(7) The passageway will be constructed and maintained in compliance with all City ordinances and laws of the State of Texas.

"(8) Applicant agrees to accept the permit upon express condition that such permit will not be construed as granting any right to obstruct or interfere with the usefulness of the alley for passage, light, air, or view either as to the public generally or as to owners of property abutting upon the alley.

"Irving Goodfriend and Associates
Acting herein for GOODFRIEND'S
901 Congress Avenue
(Sgd) Trueman O'Quinn
Trueman O'Quinn
Attorney for Applicant"

Councilman Long moved that the permit be granted subject to the approval of the conditions by the City Manager. The motion, seconded by Councilman White, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The City Manager submitted information concerning the paving of Sunshine Drive particularly from Stark to Houston. He recommended that the paving proceed, and leave the other part unpaved until the right-of-way problem is worked out. The Council agreed to go ahead on this and the part where the right-of-way is not established, let that go until the right-of-way is secured.

Councilman Pearson reported a situation in the paving of Waterson from West Lynn to Woodland, in that 80% of the people had signed up; but when the contract was let, the paving was to stop in the middle of the block; and the people want it to continue on to Woodland. The Mayor suggested that Mr. McKown again contact the people, and try to work it out, and bring the matter back to the Council next week.

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, that W. T. Williams, Jr., said city's City Manager be and he is hereby duly authorized and fully empowered to enter into and execute for and in the name of the City one certain written agreement dated March 26, 1956, between said City and Missouri Pacific Railroad Company, respecting the grant by said Railroad Company of permission to install, keep and use the City's own proposed 12,500 volt aerial electric power line off said Railroad Company's premises in Decker Survey, Travis County, Texas, near said Railroad Company's mile post 182, all as more particularly set out in said agreement, to which reference is made the same as if fully set out herein.

The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN, TEXAS, that W. T. Williams, Jr., said city's City Manager be and he is hereby duly authorized and fully empowered to enter into and execute for and in the name of the City one certain written agreement dated March 13, 1956, between said City and Missouri Pacific Railroad Company, respecting the grant by said Railroad Company of permission to install, keep and use one certain existing down guy wire with one anchor on said Railroad Company's premises in Travis County, Texas, located at or near St. Elmo Road, all as more particularly set out in said agreement, to which reference is made the same as if fully set out herein.

The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on July 20, 1956, for the purchase of gate valves 2" - 24" inclusive, required by the Water Department for contract beginning October 1, 1956; and,

WHEREAS, the bid of Mueller Company in the sum of \$10,566.84 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the City Manager of the City of Austin; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Mueller Company in the sum of \$10,566.84 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Mueller Company.

The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on September 11, 1956, the City of Austin received bids on Chlorine for Filter Plants; and,

WHEREAS, an evaluation of the bids received for such material shows the bid of Diamond Alkali Company in the sum of \$382.50 for 3000 pounds Chlorine

in 150 pound cylinders, and the sum of \$13,468.00 for 280,000 pounds of chlorine in 1-ton containers were the best available bids therefor; and,

WHEREAS, the acceptance of such bids has been recommended by the Purchasing Agent of the City of Austin and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That said bids of the Diamond Alkali Company in the sum of \$382.50 for 3,000 pounds of chlorine in 150 pound bylinders, and the sum of \$13,468.00 for 280,000 pounds of chlorine in 1-ton containers, be and the same are hereby accepted, and W. T. Williams, Jr., City Manager, is hereby authorized and directed to execute a contract on behalf of the City of Austin with the Diamond Alkali Company.

The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, on the 14th day of September, 1956, bids were received by the City of Austin for furnishing gasoline, kerosene, diesel fuel and lubricating oils and greases to the City for the twelve months period beginning October 1, 1956; and,

WHEREAS, the bid of Jack Ritter, Inc. in the sum of \$83,001.00 was the lowest and best bid for furnishing gasoline; and,

WHEREAS, the bid of Gulf Oil Company in the sum of \$2,875.00 was, upon evaluation thereof, considered to be the lowest and best bid for furnishing kerosene; and,

WHEREAS, the bid of Magnolia Petroleum Company in the sum of \$5,660.03 was the lowest and best bid for furnishing lubricating oils and greases; and,

WHEREAS, the bid of Sinclair Refining Company in the sum of \$5,325.00 was the lowest and best bid for furnishing diesel fuel; and,

WHEREAS, the acceptance of the above bids has been recommended by the Purchasing Agent of the City of Austin and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That said bids of Jack Ritter, Inc., Gulf Oil Company, Magnolia Petroleum Company and Sinclair Refining Company be and the same are hereby accepted, and W. T. Williams, Jr., City Manager, is hereby authorized to enter into contracts with said parties for the purchase of gasoline, kerosene, lubricating oils and greases, and diesel fuel, for the twelve months period beginning October 1, 1956.

The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

Mayor Miller introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO
A CERTAIN CONTRACT WITH BRADFIELD-CUMMINS, INCORPORATED;
PROVIDING FOR THE APPROPRIATION OF MONEY PAID TO THE CITY
OF AUSTIN UNDER SUCH CONTRACT AND DECLARING AN EMERGENCY.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER
INTO A CERTAIN CONTRACT WITH BRADFIELD & CUMMINS, INC.;
PROVIDING FOR THE APPROPRIATION OF MONEY PAID TO THE
CITY OF AUSTIN UNDER SUCH CONTRACT AND DECLARING AN
EMERGENCY.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Mayor Miller introduced the following ordinance:

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO
A CERTAIN CONTRACT WITH B. M. S. DEVELOPMENT COMPANY;
PROVIDING FOR THE APPROPRIATION OF MONEY PAID TO THE
CITY OF AUSTIN UNDER SUCH CONTRACT AND DECLARING AN
EMERGENCY.

The ordinance was read the first time and Councilman Long moved that the rule be suspended and the ordinance passed to its second reading. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the second time and Councilman Long moved that the rule be suspended and the ordinance passed to its third reading. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The ordinance was read the third time and Councilman Long moved that the ordinance be finally passed. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Mayor announced that the ordinance had been finally passed.

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, after an engineering and traffic investigation, the City Council has found that because of changed conditions the present maximum, reasonable and safe speed for the operation of vehicles at the following location is not now fifteen (15) miles per hour, and that its previous finding of a maximum, reasonable and safe speed of fifteen (15) miles per hour for the operation of vehicles at the following location should be deleted from Section 33.39 of the Traffic Register:

ON STREET

FROM

TO

Congress Avenue

Barton Springs Road

East 1st Street

Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the City Clerk be authorized and instructed to record this finding in Section 33.39 of the Traffic Register.

The motion, seconded by Councilman Pearson, carried by the following vote:
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, Southern Union Gas Company has presented to the City Council tentative maps or plans showing the proposed construction of its gas mains in the streets in the City of Austin hereafter named, and said maps or plans have been considered by the City Council;

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT Southern Union Gas Company be and the same is hereby permitted to lay and construct its gas mains in and upon the following streets:

(1) A gas main in STECK ROAD from Burnet Road westerly to the city limit line, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said STECK ROAD.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(2) A gas main in EAST FIRST STREET from a point 207 feet west of Shady Lane easterly 278 feet, the centerline of which gas main shall be 8 feet south of and parallel to the north property line of said EAST FIRST STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(3) A gas main in WINSTED LANE from a point 39 feet north of Quarry Road southerly 188 feet, the centerline of which gas main shall be 25 feet east of and parallel to the west property line of said WINSTED LANE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(4) A gas main in EAST TENTH STREET from Northwestern Avenue westerly 53 feet, the centerline of which gas main shall be 6 feet north of and parallel to the south property line of said EAST TENTH STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(5) A gas main in NORTHWESTERN AVENUE from East Tenth Street southerly 112 feet, the centerline of which gas main shall be 6.5 feet east of and parallel to the west property line of said NORTHWESTERN AVENUE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(6) A gas main in KERN RAMBLE from a point 5 feet north of East 34th Street northerly to a point 5 feet south of Concordia Avenue, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said KERN RAMBLE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(7) A gas main in LEON STREET from a point 13 feet north of West 25th Street northerly 120 feet, the centerline of which gas main shall be $13\frac{1}{2}$ feet west of and parallel to the east property line of said LEON STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(8) A gas main in CANION STREET from a point 177 feet north of Brentwood Street northerly 68 feet, the centerline of which gas main shall be 7.5 feet west of and parallel to the east property line of said CANION STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(9) A gas main in EAST $38\frac{1}{2}$ STREET from a point 220 feet east of Airport Boulevard westerly 155 feet, the centerline of which gas main shall be 5.5 feet north of and parallel to the south property line of said EAST $38\frac{1}{2}$ STREET.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(10) A gas main in NORRIS DRIVE from Rabb Road northerly 417 feet, the centerline of which gas main shall be 6.5 feet west of and parallel to the east property line of said NORRIS DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(11) A gas main in RABB ROAD from Norris Drive easterly 112 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said RABB ROAD.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(12) A gas main in BERKMAN DRIVE from Larkwood Drive to Ridgehaven Drive, the centerline of which gas main shall be

6.5 feet west of and parallel to the east property line of said BERKMAN DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(13) A gas main in LARKWOOD COURT from a point 24 feet west of Berkman Drive easterly 365 feet, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said LARKWOOD COURT.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(14) A gas main in RIDGEMONT DRIVE from a point 24 feet west of Berkman Drive southeasterly to Rogge Lane, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said RIDGEMONT DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(15) A gas main in CLOVERLEAF DRIVE from a point 20 feet west of Berkman Drive easterly to Ridgemont Drive, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said CLOVERLEAF DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(16) A gas main in CORONA DRIVE from a point 16 feet west of Berkman Drive easterly to Ridgemont Drive, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said CORONA DRIVE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

(17) A gas main in ROGGE LANE from Berkman Drive easterly to a point 62 feet east of Ridgemont Drive, the centerline of which gas main shall be 6.5 feet south of and parallel to the north property line of said ROGGE LANE.

Said gas main described above shall have a cover of not less than $2\frac{1}{2}$ feet.

THE Southern Union Gas Company is hereby put upon notice that the City of Austin does not guarantee that the space assigned above is clear from other underground utilities, but is based upon the best records we have at hand, and that the minimum depth stated does not have any reference to the fact that greater depths may not be required at special points. When the Southern Union Gas Company requires definite information upon the ground as to elevations or working points from which to base the location of their assignments, they shall apply to the Department of Public Works not less than three (3) days

before such information is required. The Southern Union Gas Company is further put upon notice that they will be required to bear the expense of repairs or replacement of any underground utility damaged during the construction of lines named in this resolution.

AND THAT whenever pavement is cut in the vicinity of a fire plug, water must be used at intervals during the course of backfilling of the ditches.

THAT the work and laying of said gas mains, including the excavation in the streets, and the restoration and maintenance of said streets after said mains have been laid, shall be under the supervision and direction of the City Manager and under all the pertinent terms and conditions of the certain franchises granted to said company by the City of Austin.

The motion, seconded by Councilman Long, carried by the following vote:
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

Councilman Pearson offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, George Feuerbacher is the Contractor for the alteration of a building located at 2230 Guadalupe Street and desires a portion of the sidewalk and Street space abutting the south 33 feet of Lot 33, Outlot 35, Division D, of the Original City of Austin, Travis County, Texas, during the alteration of the building, such space to be used in the work and for the storage of materials therefor; therefore

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

1. THAT space for the uses hereinabove enumerated be granted to said George Feuerbacher, the boundary of which is described as follows:

Sidewalk and Street Working Space

Beginning at the southeast corner of the above described property; thence in a easterly direction and at right angles to the centerline of Guadalupe Street 5 feet to a point; thence in a northerly direction and parallel with the center line of Guadalupe Street approximately 33 feet to a point; thence in a westerly direction and at right angles to the center line of Guadalupe Street to the northeast corner of the above described property.

2. THAT the above privileges and allotment of space are granted to the said George Feuerbacher, hereinafter termed "Contractor", upon the following express terms and conditions:

(1) That the Contractor shall erect within the above described working space a solid fence built of not less than one-inch material and at least 8 feet in height substantially braced and anchored and to maintain same in good condition at all times while the work is in progress. The Contractor will be

permitted to put a door in the barricade that will either open in or slide parallel to the barricades, and at all times that material is being delivered or taken away from the building, a watchman shall be provided to warn pedestrians of approaching danger. The Contractor will also be permitted to use one parking meter space immediately in front of the entrance in the barricade for the delivery or removal of materials during construction work.

(2) That the Contractor is permitted to construct in his working space a substantial gate which shall be kept closed at all times when not in use, and at all times that such gate is open, the Contractor shall maintain a person at this gate to warn pedestrians and vehicles of approaching trucks. This gate is not to open out so as to impede vehicular or pedestrian traffic.

(3) That no vehicles in loading or unloading material at the working space shall park on any part of the street outside of the allotted working space.

(4) That "No Parking" signs shall be placed on the street side of the barricades.

(5) That the Contractor is permitted to construct a temporary work office within such allotted working space provided such work office is not within 25 feet of any corner street intersection.

(6) That the Contractor shall in no way obstruct any fire plugs or other public utilities in the construction of such barricades.

(7) That provisions shall be made for the normal flow of all storm waters in the gutter and the Contractor will be responsible for any damage done due to obstruction of any such storm water.

(8) That the Contractor shall place on the outside corners of any walkway, barricades or obstructions, red lights during all periods of darkness and provide lighting system for all tunnels.

(9) That the Contractor shall remove all fences, barricades, loose materials and other obstructions on the sidewalk and street immediately after the necessity for their existence on said sidewalk or street has ceased, such time to be determined by the City Manager and in any event all such sidewalk, barricades, materials, equipment and other obstructions shall be removed not later than December 5, 1956.

(10) That the City reserves the right to revoke at any time any and all the privileges herein granted or to require the erection or installation of additional barriers or safeguards if the conditions demand it.

(11) That the use and enjoyment of the spaces herein granted shall not be exclusive as against public needs, and the City, in making such grant reserves the right to enter and occupy any part or all of said space any time with its public utilities, or for other necessary public purposes.

(12) That any public utility, or public or private property disturbed or injured as a result of any of the activities necessary for the completion of the construction work for said building projects, whether done by the Contractor, City Forces, or public utilities, shall be replaced or repaired at the Contractors expense.

(13) That the Contractor shall furnish the City of Austin a surety bond in the sum of One Thousand Dollars (\$1000), which shall protect, indemnify and hold harmless the City of Austin from any claims or damages to any person or property that may accrue to or be brought by any person by reason of the exercise or abuse of the privileges granted the Contractor by the City of Austin and shall guarantee the replacement of all sidewalks, pavement and all other public property and public utilities disturbed or removed during the construction work and shall further guarantee the construction of a walkway and other safeguards during the occupancy of the space.

The motion, seconded by Councilman Long, carried by the following vote:
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

Councilman Long offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

THAT the City Council of the City of Austin hereby approves the property situated on the south side of Barton Springs Road as a private gasoline plant consisting of a 550 gallon tank and electric pump for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, which property is owned by Repossession Investment Corporation, L. J. Shelton, President, and is designated as 60 x 150 feet of the M. K. Hage Tract, of the City of Austin, Travis County, Texas, and hereby authorizes the said Repossession Investment Corporation to operate a private gasoline plant consisting of a 550 gallon tank and electric pump for the sole purpose of servicing their own motor equipment, and from which no gasoline is to be sold, subject to the same being operated in compliance with all the ordinances relating thereto, and further subject to the foregoing attached recommendations; and the Building Inspector is hereby authorized to issue an occupancy permit for the operation of this private gasoline plant after full compliance with all the provisions of this resolution, and said permission shall be held to be granted, and accepted subject to all necessary, reasonable and proper, present and future regulations and ordinances of the City of Austin, Texas, in the enforcement of the proper police, traffic and fire regulations; and the right of revocation is retained if, after hearing, it is found by the City Council that the said Repossession Investment Corporation has failed and refused, and will continue to fail and refuse to perform any such conditions, regulations and ordinances.

(Recommendations attached)

"Austin, Texas
September 17, 1956

"Mr. W. T. Williams, Jr.
City Manager
Austin, Texas

"Dear Sir:

"I, the undersigned have considered the application of the Repossession Investment Corporation, L. J. Shelton, President, for permission to operate a private gasoline plant consisting of a 550 gallon underground tank and electric pump for the sole purpose of servicing their own motor equipment and from which no gasoline is to be sold, upon property located on the south side of Barton

Springs Road, which property is designated as 60 x 150 feet of the M. K. Hage Tract in the City of Austin, Travis County, Texas, and locally known as 525 Barton Springs Road.

"This property is located in a "C-2" Commercial District and I recommend that this permit be granted subject to the following conditions:

"(1) That the gasoline tanks and pumps shall be of an approved type and shall bear the label of the Underwriters Laboratories, Inc., and that all tanks and pumps shall be installed in compliance with the Ordinance governing the storage and handling of gasoline.

"(2) That all tanks and pumps shall be located not nearer than 10 feet to the property line and so located that cars stopped for the purpose of unloading or receiving gasoline or other supplies shall not in any way obstruct the free passage of traffic on either the sidewalk, street, or alley.

"(3) That "NO SMOKING" signs shall at all times be prominently displayed and no person shall be permitted to smoke on the premises where gasoline is handled or stored.

"(4) That all fees shall be paid and a permit secured from the Building Inspector's Office before any installation work is started, and that no equipment shall be placed in operation until after final inspection and approval of same.

"Respectfully submitted,
(Sgd) J. C. Eckert
Building Inspector"

The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, bids were received by the City of Austin on September 18, 1956, for the construction of a reinforced concrete culvert on Cameron Road at East 53rd Street Easement; and,

WHEREAS, the bid of Capital Construction Company in the sum of \$7,296.11 was the lowest and best bid therefor, and the acceptance of such bid has been recommended by the Director of Public Works of the City of Austin, and by the City Manager; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That the bid of Capital Construction Company in the sum of \$7,296.11 be and the same is hereby accepted, and W. T. Williams, Jr., City Manager of the City of Austin is hereby authorized and directed to execute a contract on behalf of the City of Austin with Capital Construction Company.

The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

The Council received notice that MR. CARRINGTON had requested that the following application for change of zoning be postponed indefinitely:

CARRETT CORPORATION

706-10 West 17th Street
1701 West Avenue

From "A" Residence
To "O" Office

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. T. Williams, Jr., City Manager, be and he is hereby authorized to execute a warranty deed on behalf of the City of Austin conveying the following described property to Texas Restaurant Association, a private corporation duly chartered under the laws of the State of Texas, upon payment of the consideration of the sum of Ten Dollars (\$10.00) and other good and valuation consideration, said tract of land being described as follows, to wit:

368 square feet of land same being out of and a part of Lot 3, Block 1 of Fellman Heights, a subdivision of a portion of Outlot 23, Division C of the Government Outlots adjoining the Original City of Austin, Travis County, Texas, according to a map or plat of the said Government Outlots on file in the General Land Office of the State of Texas, a map or plat of the said Fellman Heights being of record in Book 2 at Page 160 of the Plat Records of Travis County, Texas which Lot 3, Block 1 of Fellman Heights together with other property was conveyed to the City of Austin, Travis County, Texas, by Warranty Deed Dated August 6, 1948 of record in Volume 916 at Page 623 of the Deed Records of Travis County, Texas said 368 square feet of land being more particularly described by metes and bounds as follows:

BEGINNING at the northwest corner of the said Lot 3, Block 1 of Fellman Heights;

THENCE, with the north line of the said Lot 3, S. 60° 09' E. 8.00 feet to a point in the west right-of-way line of the Interregional Highway;

THENCE, with the west right of way line of the Interregional Highway, same being the east line of the herein described tract of land S. 30° 01' W. 46.00 feet to a point in the south line of the said Lot 3;

THENCE, with the south line of the said Lot 3, N. 60° 09' W. 8.00 feet to the southwest corner of the said Lot 3;

THENCE, with the west line of the said Lot 3, same being the east line of an alley, N. 30° 01' E. 46.00 feet to the point of beginning.

The motion, seconded by Councilman Pearson, carried by the following vote:
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

Councilman White offered the following resolution and moved its adoption:

(RESOLUTION)

WHEREAS, certain drainageway and public utilities easements were reserved and dedicated to the public along certain lot lines of Windsor Park Section 3, a subdivision of a portion of the James P. Wallace Survey in the City of Austin, Travis County, Texas, according to a map or plat of Windsor Park Section 3 of record in Book 7 at page 100 of the Plat Records of Travis County, Texas; and,

WHEREAS, the owner of the hereinafter described premises has requested that said drainageway and public utilities easement located thereon be released; and,

WHEREAS, the hereinafter described portion of such easement is not now needed and hereafter will not be required by the City of Austin; Now, Therefore,

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:

That W. T. Williams, Jr., City Manager, be and he is hereby authorized to execute a release of that portion of the drainageway and public utilities easement located on the hereinafter described premises:

BEING the east five (5.00) feet of the west fifteen (15) feet of Lot 29, Block C, of said Windsor Park Section 3, SAVE AND EXCEPT the north ten (10.00) feet of the said east five (5.00) feet of the west fifteen (15.00) feet.

The motion, seconded by Councilman Long, carried by the following vote:
Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

Councilman Long moved that they proceed with the paving on West 45th Street from Ramsey to one-half block west of Shoalwood Avenue, and assess the other property owners, to move the paving on through. The motion, seconded by Councilman Pearson, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller
Noes: None

A report from Patrolmen Miller and Hardin was read in connection with the request of A. S. KILLOUGH for remission of a fine. The Council took no action.

The Mayor announced special meetings to be held during the next week as follows:

Monday, September 24, 1956 - 3:00 P.M. - Discussion meeting.

Thursday, September 27, 1956 - 2:00 P.M. - Hearing on T.B. Hospital matters.

The Council granted the Y.W.C.A. permission to hold a street dance on October 1st, on Colorado Street between 12th and 13th Streets.

Councilman Long moved that the Mayor be authorized to employ FIRST SOUTHWEST CORPORATION as Financial Consultant to the City; the fee of the Consultant for his services to be 30¢ per \$1,000 bonds sold, issued and delivered. The motion, seconded by Councilman Palmer, carried by the following vote:

Ayes: Councilmen Long, Palmer, Pearson, White, Mayor Miller

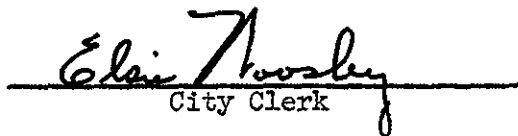
Noes: None

There being no further business the Council adjourned at 12:00 noon, subject to the call of the Mayor.

APPROVED


Mayor

ATTEST:


City Clerk